

Capital Punishment Saves Lives

Mike Kecskes 1.

TO: Members of the Montana House Judiciary Committee 3/25/2009

Mr. Chairman, Members of the Committee:

I have three main points to make:

- 1) The death penalty saves lives.
- 2) Life in prison without parole, as proposed by Senate Bill 236, will inevitably result in the death of more innocent people.
- 3) The death penalty is decreed by God in the extreme case of deliberate murder.

Should this bill become law, it would, in essence, allow the most violent criminals in our state to get away with murder.

Sponsors of the bill claim that with advances in modern prison construction and new technology, even the worst murderers can be secured and kept from murdering again.

The main issue in the debate is this very claim that we can render murderers harmless, without executing them.

There was a violent riot at our state prison in Deer Lodge in 1991. That riot and its aftermath clearly illustrates this issue. During the riot, inmates in the Maximum Security Area escaped from their cells, took over the entire unit and went on a murderous rampage. At the end, five people were beaten to death with such savagery that even hardened law officers were shocked at the sight.

Two inmates, William Gollehon and Douglas D. Turner, were among the chief instigators and 'executioners' of the five victims. Both were multiple murderers. Gollehon was serving a 130 year sentence for the 1985 beating death of a Billings woman. Turner was in prison originally serving a 300 year sentence for murdering three members of a Glendive family in 1987.

A year before the riot, in 1990, Gollehon and Turner beat Gerard Pillegi to death in the prison yard with baseball bats.

When we add up all their victims, just these two convicts have murdered either alone, or together with one or more other convicts, a total of seven and nine people, respectively. Had they been executed for their original crimes before 1990, or 1991, rather than given hundreds of years in prison, some innocent lives could have been saved.

Keep in mind that all these men were confined in Maximum Security, in concrete cells, behind steel bars, alarms, armed guards, the works.

Can we seriously assert that we have today the means to lock up our worst criminals and keep them from killing again?

Consider some other cases: In 1995 Daniel M. Johnson, an inmate at Deer Lodge for murder, beat Andrew Burgess to death with a horseshoe.

Rodney Sattler was convicted of deliberate homicide in 1987. While in a county jail in 1995, he beat Raymond Morrison to death with a metal bar off an exercise bike. Later he was transferred to the Swan River Correctional Center where he attempted to kill staff member Donna Weeks, breaking her neck, dragging her into a rest room and leaving her for dead.

There are many cases like these. As we have seen above, the worst murderers continue to murder in or out of prison. To protect innocent lives, they should be executed, once their guilt is well established and certain.

A life sentence without parole is not what we think it is in practice. Laws change. Legislatures, judges, governors, parole boards can alter a convict's sentence. Many murderers are paroled after some years and kill again.

The death penalty is the most powerful weapon we have to deter crime. It is 100 percent effective with those who are executed. They will not murder again. It is less effective as a deterrent when execution is delayed by seemingly endless appeals, challenges and petitions, as has so often been the case. Justice delayed is justice denied.

The problem is not the death penalty. The problem is with the way it is administered, or, I should say, mis-administered. The system needs to be reworked thoroughly.

There have been instances of innocent people getting executed in the past. To avoid such tragedies, we must be certain of the guilt of the accused. If we can't be, don't execute.

To answer those who say that the death penalty law is barbaric and immoral, we should remember that it was God who originally decreed it. (read Genesis 9:5-6)

Can a decree of God be barbaric, or immoral? The familiar God of love and mercy is also the God of justice. He commands us to protect the innocent and to punish the guilty.

By and large, we are failing to protect the innocent these days, because we are failing to punish the guilty in a way that is commensurate with the gravity of their crime. Senate Bill 236 is the very embodiment of this unfortunate trend.

I urge you all to reject SB-236, and so save innocent lives.



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